

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 9<sup>th</sup> day of May 2006, there was conducted a REGULAR Meeting of the Honorable Commissioners' Court of Cameron County, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

BE IT FURTHER RESOLVED, that the Cameron County Commissioners' Court wishes to dedicate its proceedings in memory of Judge Reynaldo G. Garza.

THE COURT MET AT:

PRESENT:

9:30 A.M.

GILBERTO HINOJOSA  
COUNTY JUDGE

PEDRO "PETE" BENAVIDES  
COMMISSIONER PRECINCT NO. 1

JOHN WOOD  
COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA  
COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO  
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA  
COUNTY CLERK

Aide A. Trejo Deputy Clerk

ABSENT:

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The meeting was called to order by Judge Pro-tem Pedro "Pete" Benavides at 9:34 A.M. He asked Reverend Bob Clark, Brownsville resident, for the invocation, and he then led the Court and audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on May 5, 2006 at 3:40 P.M.:

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Commissioner Benavides asked for a moment of silence for the loss of Coach Gonzalo Garcia who worked in Brownsville for over forty years.

Judge Hinojosa commented on the passing of Mr. Garcia and noted how well-liked and well-known he was in the community. He spoke on the construction project at the Santa Rosa Boys & Girls Club and the Ribbon Cutting Ceremony for the Browne Road Park Social Service Community Center held on May 6, 2006.

Judge Hinojosa stated that on May 8, 2006 there was a prayer breakfast at the Cameron County Juvenile Boot Camp in which approximately 75 religious leaders were in attendance. He added that there is \$500,000 worth of grant funds from the Justice Department that the County is applying for that will fund a faith-based mentoring program which will be aimed at counseling juveniles in the system. He went on to say that the program will involve 10 churches which will provide at least one mentor each that will be trained through UTB to help youths who need guidance and support on a one-to-one basis.

Commissioner Tamayo added that structure to the program and cooperation will ensure success.

Judge Hinojosa noted the difficulties and temptations youths today are faced with and how easy it can be for them to be pressured into a life of crime.

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**(1) PUBLIC COMMENTS.**

Ms. Sylvia Elizabeth Cholitt commented on her near death while detained in the Cameron County Jail System. She stated that she suffers from fibroid tumors and because of this she suggested that for those who cannot come in person to voice their public comment, perhaps they can mail in their comment and have it read aloud during the Commissioner's Court Meeting. Ms. Cholitt went on to say that while detained, she was denied medical treatment for her tumors as she was unwilling to sign a release of her medical records from the South Texas Cancer Center. She added that she was given injections that increased her retain fluid and made her gain 8 pounds of water weight. She stated that she was arrested for attempting to cash a \$25,000 cashier's check at Laredo National Bank. She suggested that an investigation be performed as to the care provided in the Cameron County Jail System.

Mr. Antonio Contreras, Brownsville resident, thanked Judge Hinojosa and Commissioner Benavides for attending the 2<sup>nd</sup> Annual Kids Awareness Festival held at Riverside Park.

Mr. David Saucedo, a student from Skinner Elementary, thanked Commissioner Benavides for taking time to attend the 2<sup>nd</sup> festival. He described the impact of the speech given by Judge Hinojosa at the festival and noted the impression it left on him.

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## **PRESENTATIONS**

**(2) PRESENTATION OF A RESOLUTION RECOGNIZING MS. SUSANA MARCHAN ON THE OCCASION OF HER SELECTION FOR THE 'L.U.P.E. AWARD.' (COMM. COURT)**

Judge Hinojosa presented Ms. Susana Marchan with the resolution and highlighted her work with migrant farm workers. He noted her dedication and lifelong commitment to serving migrant farm workers through job training and job placement.

Ms. Marchan thanked the Court and Judge Hinojosa for recognizing her work and added how honored she is to be recognized.

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**(3) PRESENTATION BY LINEBARGER GOGGAN BLAIR & SAMPSON LAW FIRM REGARDING DELINQUENT PROPERTY TAX REPORT. (TY-TAX OFFICE)**

Mr. Rick Pena, of Linebarger Goggan Blair & Sampson, presented the quarterly delinquent tax report. He noted that 494 property inspections have been conducted that are expected to produce \$642,003.47 and that 600 more inspections are planned through the rest of the fiscal year. He stated that 464 lawsuits are pending for a total of \$1,142,397.62. He noted that the collection rate is at 22%; compared to 18% for the same time period in 2005.

Commissioner Tamayo asked for the reason of the increase in the collection rate.

Mr. Pena replied that individuals are catching up with the payment from the previous year's inspections and those numbers are being calculated into the current year's rate.

Commissioner Garza asked how many individuals are performing on-site inspections.

Mr. Pena stated that there are 2 people employed full-time for on-site inspections, but in the summer months there are as many as 6 people assigned to on-site inspections.

Commissioner Benavides noted his appreciation for the law firm's method of collecting delinquent taxes as he has not received one complaint regarding this issue since he took office.

Judge Hinojosa suggested setting up office space for the law firm in the Administration Building as it seems for convenient for those individuals wanting to pay their delinquent taxes.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the presentation by Linebarger, Goggan, Blair & Sampson Law Firm regarding the Delinquent Property Tax Report was acknowledged.

**The Report is as follows:**

## **ACTION ITEMS**

**(5) BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, Budget Amendments, Line Item Transfers and/or Salary Schedules were approved.

**The Documents are as follows:**

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**(6) APPROVAL OF MINUTES FOR:**

**(A) MAY 3, 2006-REGULAR MEETING**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Minutes for the May 3, 2006-Regular Meeting were approved.

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**(7) APPROVAL OF CLAIMS.**

Commissioner Garza moved that the Claims be approved, inclusive of the late claims.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Claims are as follows:**

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**(9) CONSIDERATION AND POSSIBLE ACTION REGARDING THE CONVERSION OF THE COUNTY WAREHOUSE IN OLMITO TO SERVE AS A MINIMUM SECURITY HOUSING FACILITY FOR NONVIOLENT OFFENDERS IN THE CAMERON COUNTY DETENTION SYSTEM. (COMM. COURT)**

Sheriff Omar Lucio commented on the overcrowding that is occurring in the Cameron County Detention System as non-threatening inmates are being held in maximum security facilities. He stated that he has been working with Mr. Mike Leinart, Chief Jail Administrator, in regards to transferring these inmates to a minimum security facility and described the process to convert the warehouse in Olmito into such a facility. He added that a “cage” would be built inside the warehouse and construction could be completed in 10-12 months. He went on to say that he took a trip to Austin and has been granted approval from the Jail Commission Standards for this project as the jail system is at capacity.

Commissioner Garza asked if the inmates in question are county or federal prisoners.

Sheriff Lucio replied that the inmates are state prisoners.

Mr. Leinart noted that the capacity level for the Cameron County Jail System is 1,390 inmates and that the State requires the County to have 10% of the total number of beds available at all times.

Sheriff Lucio added that the State has 45 days to pick up prisoners once convicted.

Judge Hinojosa elaborated and added that the State mandates inmates with blue warrants to be housed for 60 days with no compensation to the County and then the inmates do not have to be picked up for 45 additional days.

Commissioner Benavides asked if the non-violent inmates’ prison records are reviewed to see if they have previously committed prior serious offenses.

Sheriff Lucio stated that the facility will be reinforced and surrounded with barbed wire. He added that he has seen other warehouses that have been converted into a maximum security facility and reassured the Court that these inmates will be properly detained.

Judge Hinojosa stated that \$5 million will be the cost of the project which is ½ the cost of constructing an entirely new facility.

Commissioner Garza asked for clarification on blue warrants.

Sheriff Lucio stated that minimum security inmates are individuals who have committed misdemeanors, non-violent offenses, non-violent felonies, child support violators, and blue warrants pertain to individual that have committed technical violations of parole.

Commissioner Tamayo noted that going forward with this project will save time and money in the long run.

Sheriff Lucio made it known that the warehouse can be made into a more permanent facility at a later time, if so desired.

Commissioner Garza asked if the City of Brownsville has been contacted on this issue.

Mr. Leinart replied that the City of Brownsville is in favor of the project.

Commissioner Tamayo asked how many inmates can be immediately transported to the facility once complete.

Sheriff Lucio replied that there are enough inmates that are considered “minimum” security to fill the warehouse to capacity.

Commissioner Wood moved to go forward with plans to convert the County warehouse in Olmito to serve as a minimum security housing facility for nonviolent offenders in the Cameron County detention system.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Information follows:**

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**(10) CONSIDERATION AND AUTHORIZATION TO EXEMPT CONTRACTING FOR PROFESSIONAL OR PERSONAL SERVICES FROM THE COUNTY PURCHASING ACT, SPECIFICALLY THE REQUIREMENTS OF V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.023, PURSUANT TO AUTHORITY GRANTED IN SECTION 262.024 (A)(4). (COMM. COURT)**

Judge Hinojosa stated that there has been discussion with Burns & Gill Architects, Inc. and the Jail Standards Commission regarding converting the County warehouse into a minimum security facility. He recommended either going forward with this firm to convert the warehouse, as they are familiar with this type of project, or going out for proposals to see if a better offer surfaces.

Commissioner Tamayo suggested setting up a committee so that they can evaluate the project and decide on the best route to take in terms of hiring an architect.

Judge Hinojosa added that going out for proposals is in the best interest of the committee in case they want options on who to hire for the construction of the project.

Commissioner Garza asked how long the RFQ process takes.

Mr. Mike Forbes, Purchasing Agent, replied that the process can take anywhere from 2 weeks to a month to be completed.

Sheriff Lucio stated that he visited a similar facility in Tarrant County and the project was so successful that 1,400 more beds are being added to the facility.

Commissioner Wood asked what the square footage of the warehouse is.

Sheriff Lucio replied 28,000 sq. ft.

Commissioner Wood questioned whether 400 beds can be contained in 28,000 sq. ft.

Sheriff Lucio replied in the affirmative and noted that offices and an infirmary will not be needed as the Carrizales-Rucker Detention Center is in close proximity to the warehouse.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Authorization to Exempt Contracting for professional or personal services from the County purchasing act, specifically the requirements of V.T.C.A., Local Government Code, Section 262.023, Pursuant to Authority Granted in Section 262.024 (A)(4) was approved.

**The Document is as follows:**

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(11) **CONSIDERATION AND POSSIBLE ACTION REGARDING  
HIRING AN ARCHITECT CONCERNING THE COUNTY  
WAREHOUSE IN OLMITO TO SERVE AS A MINIMUM  
SECURITY HOUSING FACILITY FOR NONVIOLENT  
OFFENDERS IN THE CAMERON COUNTY DETENTION  
SYSTEM. (COMM. COURT)**

Judge Hinojosa recommended setting up a committee composed of Mike Forbes, Pete Sepulveda, the Budget Officer, a representative from the County Judge's Office and one of the Commissioners for this project and suggested going out for proposals to select an architect.

Commissioner Garza suggested hiring the architect firm of Burns & Gill Architects, Inc. as they have experience with this type of renovation project.

Commissioner Garza moved to begin negotiations with Burns & Gill Architects, Inc. concerning the conversion of the County Warehouse in Olmito to serve as a minimum security housing facility for nonviolent offenders in the Cameron County Detention System.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Information is as follows:**

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**(13) CONSIDERATION AND APPROVAL OF CLERK POSITION TO SERVE BOTH JUSTICE OF THE PEACE PRECINCT 7, PLACE 1 AND JUSTICE OF THE PEACE PRECINCT 7, PLACE 2 COURTS. (DS-J.P. PCT. 7-2)**

Xavier Villarreal, Budget Officer, stated that he has met with the JP's and based on revenues and activity, the funding is available for the position.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the clerk position to serve Justice of the Peace Precinct 7, Place 1 and Justice of the Peace Precinct 7, Place 2 Courts was approved, pending certification by Mark Yates, County Auditor.

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**(14) CONSIDERATION AND POSSIBLE ACTION REGARDING THE CREATION OF SECURITY GUARD POSITIONS FOR THE DANCY BUILDING COURTHOUSE. (COMM. COURT)**

Mr. Remi Garza, Assistant County Administrator, stated that upon review of the cost per hour for either hiring a security company or creating positions within the County budget to provide security for the Dancy Building, the County is the better choice when you factor in overtime and holiday pay.

Commissioner Wood commended Remi Garza for his research on the matter and asked whom the security guards would report to, if hired under the County.

Mr. Remi Garza suggested that an employee who works in the Dancy Building be designated and stated that Mr. Pete Sepulveda, Department of Transportation Director, offered to supervise the security guards under the Bridge System.

Commissioner Garza questioned the necessity of security at the Dancy Building as there is no security currently at the Cameron County Courthouse Administration Building.

Mr. Remi Garza replied that the Administration Building is in close proximity to the Judicial Building, which has security guards and added that the Dancy Building has (4) unsecured entrances and is isolated when compared to other County buildings.

Commissioner Garza asked if there is a security alarm system in place at the Dancy Building.

Mr. Remi Garza replied that the security system is activated in the evening, not during the day, and opens and closes the doors.

Judge Hinojosa commented on the need for security in the current Commissioners' Courtroom as there has been trouble in the past.

Mr. Remi Garza noted that the request for security guards is for (1) guard during the day and (2) in the evening to provide 24 hours a day 7 days a week security to the Dancy Building.

Commissioner Garza asked what other County facility has 24 hours a day 7 days a week security.

Mr. Remi Garza stated that the assets in the historical exhibit room need to be protected as some of those items are on loan from the Texas Historical Commission and local museums.

Commissioner Tamayo noted the amount of money spent on the restoration of the Dancy Building and stated her concern about the protection of the building in the evening.

Commissioner Garza asked where the funding for these positions would be coming from.

Mr. Pete Sepulveda stated that the budget for his department would need to be amended if the Commission recommends placing the supervision of these positions under the Bridge System.

Commissioner Garza voiced his disapproval for spending money for (4) security guards for the Dancy Building.

Commissioner Benavides moved to approve (4) positions for the Dancy Building Courthouse funded under the Bridge System with no supervisor.

The motion was seconded by Commissioner Tamayo and carried as follows:

AYE: Commissioner Benavides, Wood and Tamayo

NAY: Commissioner Garza

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(12) **CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION REQUESTING TEXAS TRANSPORTATION COMMISSION FOR THE RETURN OF UN-USED HIGHWAY EASEMENT TO ORIGINAL GRANTORS, SOUTH PADRE, LTD., FOR EASEMENTS CONVEYED IN 1972 AND 1973. (DJV-LEGAL)**

Commissioner Wood moved that the resolution requesting Texas Transportation Commission for the Return of un-used Highway Easement to original grantors, South Padre Ltd, for easements conveyed in 1972 and 1973 be approved.

Commissioner Benavides seconded the motion and carried unanimously.

**The Resolution is as follows:**

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**(32) CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**

- A. PRECINCT NO. 4-HEATH'S CORNER SUBDIVISION, BEING 38.00 ACRES OUT OF BLOCK THREE HUNDRED TWENTY-NINE (329), SAN BENITO IRRIGATION COMPANY SUBDIVISION, OUT OF SHARE 1, ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 3, PAGES 16-18 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**
- B. PRECINCT NO. 4-TIERRA BLANCA SUBDIVISION PHASE I, BEING 17.23 ACRES, MORE OR LESS, OUT OF BLOCKS 13 & 14 OF THE LA FERIA GRANT, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 2, PAGE 23 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the

Item was approved.

**The Documentation is as follows:**

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**(15) CONSIDERATION AND AUTHORIZATION TO SIGN A RELEASE REQUESTED BY ELVIS & ANABELLE, LLC TO USE AND OTHERWISE ARRANGE AND DISPLAY THE NAME OF THE COUNTY, WHETHER BY VERBAL REFERENCE OR IN PRINTED FORM, AS COMPANY IN ITS SOLE DISCRETION MAY DETERMINE, IN AND IN CONNECTION WITH THE MOTION PICTURE CURRENTLY ENTITLED "ELVIS AND ANABELLE." (COMM. COURT)**

Mr. Remi Garza, Assistant County Administrator, stated that the name of "Cameron County" does not legally belong to the County and recommended denying the request as to prevent any lawsuits.

Upon motion by Commissioner Benavides, seconded by Judge Hinojosa and carried unanimously, the release requested by Elvis & Anabelle, LLC to use and otherwise arrange and display the name of the county, whether by verbal reference or in printed form, as company in its sole discretion may determine, in connection with the motion picture currently entitled "Elvis and Anabelle" was denied.

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**(16) CONSIDERATION AND POSSIBLE ACTION REGARDING A REQUEST BY THE TEXAS FILM COMMISSION FOR THE POSSIBLE USE OF A PORTION OF BOCA CHICA BEACH BY A PRODUCTION COMPANY ON JUNE 4, 2006. (COMM. COURT)**

Mr. Remi Garza, Assistant County Administrator, stated that he was approached by the Texas Film Commission requesting controlled access and permission to film on Boca Chica Beach. He suggested allowing TFC to request a temporary road closure as Cameron County does not own Boca Chica Beach.

Commissioner Garza asked if there are any County dedicated roads on Boca Chica Beach.

Mrs. Dylbia Jeffries Vega, Legal Counsel, added that there is a statute which allows the County to close a portion of the road for a short period of time for special events.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the request by the Texas Film Commission for the possible use of a portion of Boca Chica Beach by a production company on June 4, 2006 was approved.

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**(17) CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF BROWNSVILLE REGARDING THE RELOCATION OF THE JOSE M. LOPEZ STATUE. (COMM. COURT)**

Commissioner Garza asked who is going to pay for the relocation of the Jose M. Lopez Statue.

Ms. Dylbia Jeffries Vega, Legal Counsel, replied that the City of Brownsville will take care of the cost of relocation.

Mr. Remi Garza added that the purpose of the agreement is to assure the original artist of the statue is involved in the relocation of the statue.

Commissioner Wood stated that the daughter of Mr. Jose M. Lopez is in favor of moving the statue to the Veterans Memorial Park as it will be in a better place for the public to view.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the agreement between Cameron County and the City of Brownsville regarding the relocation of the Jose M. Lopez Statue was approved.

**The Agreement is as follows:**

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**(18) CONSIDERATION AND AUTHORIZATION TO ADOPT AN ORDER ACCEPTING THE ROAD NAME CHANGE OF COUNTY ROAD 745 AKA DUMP ROAD TO PEREIRA COMPASSION ROAD IN BAYVIEW CITRUS GROVES UNIT #2 SUBDIVISION IN PRECINCT NO. 3. (PS-DEPT. OF TRANSPORTATION)**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the order accepting the road name change of County Road 745 aka Dump Road to Pereira Compassion Road in Bayview Citrus Groves Unit #2 Subdivision in Precinct No. 3 was approved.

**The Order is as follows:**

## CONSENT ITEMS

**ALL ITEMS UNDER THE CONSENT AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY.**

Commissioner Tamayo moved that the "Travel and Consent Items" be approved, excluding Item No. 32 (A) & (B) and tabling Item No. 22, 24, 29 and 30.

The motion was seconded by Commissioner Garza and carried unanimously.

- (19) **CONSIDERATION AND ACKNOWLEDGEMENT OF DISTRICT CLERK'S JANUARY, FEBRUARY AND MARCH'S 2006 MONTHLY FEE, FINES AND CRIMINAL REPORT. (ADLG-DISTRICT CLERK)**  
**The Reports are as follows:**
- (20) **CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING THE TEXAS VISITING NURSE SERVICE, LTD. IN CELEBRATION OF ITS 25<sup>TH</sup> ANNIVERSARY. (COMM. COURT)**  
**The Resolution is as follows:**
- (21) **CONSIDERATION AND APPOINTMENT OF RICHARD EDWARD MOORE JR. RESERVE DEPUTY CONSTABLE FOR PRECINCT NO. 1 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)**  
**The Documentation is as follows:**
- (22) **CONSIDERATION AND APPOINTMENT OF JUAN ALBERTO CORONADO RESERVE DEPUTY CONSTABLE FOR PRECINCT NO. 6 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES) (TABLED)**
- (23) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MR. CESAR GONZALEZ FOR HIS 26 YEARS OF PUBLIC SERVICE AND LEADERSHIP IN CAMERON COUNTY. (COMM. COURT)**  
**The Resolution is as follows:**
- (24) **CONSIDERATION AND POSSIBLE AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN CAMERON COUNTY AND SHIRLEY & SONS CONSTRUCTION COMPANY FOR THE "SHORELINE STABILIZATION PROJECT" FOR THE ADOLPH THOMAE COUNTY PARK. (JM-PARK SYSTEM) (TABLED)**
- (25) **CONSIDERATION AND AUTHORIZATION TO OPEN ARROYO CITY LAW ENFORCEMENT FIRE & LEARNING STATION CONSTRUCTION – BID #060401. (MF-PURCHASING)**
- (26) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM APRIL 20, 2006 TO APRIL 20, 2007 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT PALOMAR SUBDIVISION, PRECINCT NO. 3. (PS-DEPT. OF TRANSPORTATION)**  
**The Documents are as follows:**

- (27) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JUNE 20, 2006 TO JUNE 20, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT CANTU BOYS ESTATES SUBDIVISION, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)**  
The Documents are as follows:
- (28) **CONSIDERATION AND AUTHORIZATION TO GRANT AN EASEMENT TO AEP TEXAS FOR THE MAIN ELECTRICAL SERVICE LINE TO THE PORT ISABEL ANNEX BUILDING. (PS-DEPT. OF TRANSPORTATION)**  
The Documentation is as follows:
- (29) **CONSIDERATION AND AUTHORIZATION TO REQUEST QUALIFICATIONS FOR INTERNATIONAL BRIDGE INSPECTION SERVICES. (PS-DEPT. OF TRANSPORTATION) (TABLED)**
- (30) **CONSIDERATION AND AUTHORIZATION TO REQUEST QUALIFICATIONS FOR MATERIALS TESTING AND ENVIRONMENTAL SERVICES. (PS-DEPT. OF TRANSPORTATION) (TABLED)**
- (31) **CONSIDERATION AND APPROVAL OF AN ADDITIONAL SERVICE TO THE COUNTY'S EXISTING AGREEMENT WITH STRUCTURAL ENGINEERING ASSOCIATES, INC. (PS-DEPT. OF TRANSPORTATION)**
- (32) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION) (ACTION TAKEN SEPARATELY)**
- A. **PRECINCT NO. 4-HEATH'S CORNER SUBDIVISION, BEING 38.00 ACRES OUT OF BLOCK THREE HUNDRED TWENTY-NINE (329), SAN BENITO IRRIGATION COMPANY SUBDIVISION, OUT OF SHARE 1, ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 3, PAGES 16-18 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**
- B. **PRECINCT NO. 4-TIERRA BLANCA SUBDIVISION PHASE I, BEING 17.23 ACRES, MORE OR LESS, OUT OF BLOCKS 13 & 14 OF THE LA FERIA GRANT, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 2, PAGE 23 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**
- (33) **CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- A. **PRECINCT NO. 4-MONTEMAYOR-281 SUBDIVISION, BEING 1.84 ACRES OF LAND OUT OF SUBDIVISION "E" AND "D" OF THE SAN PEDRO CARRICITOS GRANT SHARE 8, CAMERON COUNTY, TEXAS.**

The Documents are as follows:

## TRAVEL ITEMS

- (34) **CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (A) **COURT AT LAW NO. 2 JUDGE, TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 5/17-20/06, TO ATTEND TEXAS COLLEGE FOR PROBATE JUDGES REGIONAL WORKSHOP.**
- (B) **SHERIFF'S DEPARTMENT ADMINISTRATOR ASSISTANT, TO TRAVEL TO SOUTH PADRE ISLAND, TX, ON 5/3-5/06, TO ATTEND THE TEXAS/SW BORDER SHERIFF'S COALITION MEETING.**
- (C) **SHERIFF'S DEPARTMENT CHIEF AND COMMANDER, TO TRAVEL TO AUSTIN, TX, ON 5/3-4/06, TO MEET WITH TEXAS COMMISSION OF JAIL STANDARDS.**

- (D) JUSTICE OF THE PEACE PRECINCT 1, TO TRAVEL TO SAN ANTONIO, TX, ON 7/18-21/06, TO ATTEND THE TEXAS JUSTICE COURT JUDGES 2006 EDUCATION CONFERENCE.**
- (E) JUSTICE OF THE PEACE PRECINCT 1, TO TRAVEL TO SAN ANTONIO, TX, ON 5/7-10/06, TO ATTEND THE TEXAS JUSTICE COURT JUDGES 2006 EDUCATION CONFERENCE.**
- (F) UNIFIED NARCOTICS INTELLIGENCE TASK FORCE DIRECTOR, TO TRAVEL TO DEL RIO, TX, ON 6/20-22/06, TO ATTEND HIGH INTENSITY DRUG TRAFFICKING AREA QUARTERLY INTELLIGENCE MEETING.**
- (G) DISTRICT CLERK, TO TRAVEL TO LONGVIEW, TX, ON 6/24-29/06, TO ATTEND THE COUNTY AND DISTRICT CLERKS' 111<sup>TH</sup> ANNUAL CONFERENCE.**
- (H) ASSISTANT DISTRICT ATTORNEY, TO TRAVEL TO GALVESTON, TX, ON 5/10-12/06, TO ATTEND TDCAA'S CIVIL LAW SEMINAR.**
- (I) ASSISTANT DISTRICT ATTORNEY, TO TRAVEL TO SAN ANTONIO, TX, ON 5/25-26/06, TO ATTEND THE 19<sup>TH</sup> ANNUAL ADVANCED EVIDENCE & DISCOVERY COURSE SPONSORED BY THE TEXASBAR CLE.**
- (J) ASSISTANT STAFF ENGINEER AND ENGINEER IN TRAINING, TO TRAVEL TO AUSTIN, TX, ON 5/17-18/06, TO ATTEND HEARING REGARDING A LAWSUIT FILED IN TRAVIS COUNTY BY THE OFFICE OF THE ATTORNEY GENERAL.**
- (K) STAFF ENGINEER AND ASSISTANT STAFF ENGINEER, TO TRAVEL TO WESLACO, TX, ON 5/12/06, TO ATTEND SEMINAR "LRGV TPDES STORM WATER AND HOW IT AFFECTS YOU."**
- (L) JUVENILE PROBATION EMPLOYEES (2), TO TRAVEL TO AUSTIN, TX, ON 5/15-19/06, TO ATTEND "18<sup>TH</sup> ANNUAL ISP CONFERENCE."**
- (M) COUNTY EXTENSION AGENTS (2), TO TRAVEL TO FALFURRIAS, TX, ON 5/6/06, TO ATTEND AND ASSIST AT THE 2006 DISTRICT 12 4-H ROUNDUP RIFLE CONTEST.**
- (N) COUNTY EXTENSION AGENTS (3), TO TRAVEL TO KINGSVILLE, TX, ON 5/6/06, TO ATTEND AND ASSIST AT THE 2006 DISTRICT 12 4-H ROUNDUP SHARE THE FUN CONTEST.**

- (19) CONSIDERATION AND ACKNOWLEDGEMENT OF DISTRICT CLERK'S JANUARY, FEBRUARY AND MARCH'S 2006 MONTHLY FEE, FINES AND CRIMINAL REPORT. (ADLG-DISTRICT CLERK)  
The Reports are as follows:**

- (20) **CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING THE TEXAS VISITING NURSE SERVICE, LTD. IN CELEBRATION OF ITS 25<sup>TH</sup> ANNIVERSARY. (COMM. COURT)**  
**The Resolution is as follows:**

- (21) **CONSIDERATION AND APPOINTMENT OF RICHARD EDWARD MOORE JR. RESERVE DEPUTY CONSTABLE FOR PRECINCT NO. 1 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)**  
**The Documentation is as follows:**

- (23) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MR. CESAR GONZALEZ FOR HIS 26 YEARS OF PUBLIC SERVICE AND LEADERSHIP IN CAMERON COUNTY. (COMM. COURT)**

**The Resolution is as follows:**

- (26) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM APRIL 20, 2006 TO APRIL 20, 2007 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT PALOMAR SUBDIVISION, PRECINCT NO. 3. (PS-DEPT. OF TRANSPORTATION)**  
**The Documents are as follows:**

- (27) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JUNE 20, 2006 TO JUNE 20, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT CANTU BOYS ESTATES SUBDIVISION, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)**  
**The Documents are as follows:**

- (28) **CONSIDERATION AND AUTHORIZATION TO GRANT AN EASEMENT TO AEP TEXAS FOR THE MAIN ELECTRICAL SERVICE LINE TO THE PORT ISABEL ANNEX BUILDING. (PS-DEPT. OF TRANSPORTATION)**  
**The Documentation is as follows:**

**(33) CONSIDERATION AND AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**

**A. PRECINCT NO. 4-MONTEMAYOR-281 SUBDIVISION, BEING 1.84 ACRES OF LAND OUT OF SUBDIVISION "E" AND "D" OF THE SAN PEDRO CARRICITOS GRANT SHARE 8, CAMERON COUNTY, TEXAS.**

**The Documents are as follows:**

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**(4) PRESENTATION OF MID-YEAR BUDGET REVIEW.  
(XV-BUDGET OFFICER)**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, this Item was **TABLED**.

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**SUPPLEMENTAL ITEMS**

**(1) PRESENTATION OF THE LEGISLATIVE UPDATE OF THE  
79<sup>TH</sup> 3<sup>RD</sup> SPECIAL LEGISLATIVE SESSION. (VDL-COUNTY  
JUDGE)**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the report of the Legislative Update of the 79<sup>th</sup> 3<sup>rd</sup> Special Legislative Session for May 3, 2006 and May 9, 2006 was acknowledged.

**The Reports are as follows:**

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## **EXECUTIVE SESSION**

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Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 11:25 A.M. to discuss the following matters:

**(35) EXECUTIVE SESSION:**

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, APPROVAL OF SETTLEMENT AGREEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) (B) & (2).**
- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE CAMERON COUNTY DETENTION CENTERS AND THE CAMERON COUNTY SHERIFF'S ADMINISTRATION BUILDING, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF REAL PROPERTY FOR THE DANCY BUILDING RENOVATION PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (D) COURT LEGAL COUNSEL REGARDING STATUS OF REMEDIAL MEASURES URGED BY TEXAS COMMISSION ON JAIL STANDARDS PURSUANT TO V.T.C.A., GOVERNMENT CODE SECTION 551.071 (1) (A).**
- (E) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR A PROPOSED PARK IN LA PALOMA, PRECINCT NO. 4, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (F) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 121, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (G) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LIABILITY ISSUES AT THE CAMERON COUNTY JAIL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (H) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING TAX FORECLOSURE LAWSUIT CAUSE NO. 2003-09-4463-D AND LAS PALMAS CONSTRUCTION COMPANY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(B)&(2).**
- (I) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 159, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (J) CONFER WITH COMMISSIONER'S COURT LEGAL COUNSEL REGARDING COURTHOUSE SECURITY PERSONNEL DEPLOYMENT PURSUANT TO V.C.T.A. GOVERNMENT CODE SECTION 551.076 AND LEGAL ASPECTS THEREOF UNDER V.T.C.A. SECTION 551.071(2).**

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Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 11:54 A.M. to discuss the following matters:

**(36) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, APPROVAL OF SETTLEMENT AGREEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) (B) & (2).**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the authorization of the settlement agreement with Coastal Engineering and Commercial Roofing for \$3 million dollars was approved.

- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE CAMERON COUNTY DETENTION CENTERS AND THE CAMERON COUNTY SHERIFF'S ADMINISTRATION BUILDING, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, this Item was **TABLED**.

- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF REAL PROPERTY FOR THE DANCY BUILDING RENOVATION PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Richard Walker was acknowledged.

- (D) COURT LEGAL COUNSEL REGARDING STATUS OF REMEDIAL MEASURES URGED BY TEXAS COMMISSION ON JAIL STANDARDS PURSUANT TO V.T.C.A., GOVERNMENT CODE SECTION 551.071 (1) (A).**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Judge Hinojosa was acknowledged.

- (E) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR A PROPOSED PARK IN LA PALOMA, PRECINCT NO. 4, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the authority for Javier Mendez, Parks Director, to negotiate with Alberto Garza Jr. for the purchase of certain parcels of land in La Paloma was approved.

- (F) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 121, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the authority to purchase Parcel 121 for \$4,105 was approved.

- (G) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LIABILITY ISSUES AT THE CAMERON COUNTY JAIL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Legal Counsel was acknowledged.

- (H) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING TAX FORECLOSURE LAWSUIT CAUSE NO. 2003-09-4463-D AND LAS PALMAS CONSTRUCTION COMPANY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(B)&(2).**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the authority for Linebarger Goggan Blair & Sampson to settle in the best interest of Cameron County was approved.

- (I) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 159, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the authority to purchase Parcel 159 for \$455 was approved.

- (J) CONFER WITH COMMISSIONER'S COURT LEGAL COUNSEL REGARDING COURTHOUSE SECURITY PERSONNEL DEPLOYMENT PURSUANT TO V.C.T.A. GOVERNMENT CODE SECTION 551.076 AND LEGAL ASPECTS THEREOF UNDER V.T.C.A. SECTION 551.071(2).**

Commissioner Tamayo moved to acknowledge the Status Report by Legal Counsel and reconvene the Courthouse Security Committee for the purpose of proposing a recommended plan for Courthouse security at the Cameron County Commissioners' Court.

The motion was seconded by Commissioner Garza and carried unanimously.

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**(8) CONSIDERATION AND AUTHORIZATION TO EXEMPT THE CONTRACTING AND/OR HIRING OF A JAIL DOCTOR, EITHER TEMPORARY OR PERMANENT, FROM THE TEXAS COUNTY PURCHASING ACT, PURSUANT TO V.T.C.A. LOCAL GOVERNMENT CODE 262.024 (A)(2)&(4). (RB-LEGAL)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the authorization to exempt the contracting and/or hiring of a jail doctor, either temporary or permanent, from the Texas County Purchasing Act, pursuant to V.T.C.A. Local Government Code 262.024 (A) (2)&(4) was approved.

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There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 12:01P.M.

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**APPROVED** this 30<sup>th</sup> day of **May 2006**.

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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**JOE G. RIVERA,**  
**COUNTY CLERK AND EX-OFFICIO CLERK**  
**OF THE COMMISSIONERS' COURT OF**  
**CAMERON COUNTY, TEXAS**